

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

MISC. NO. 23-mj-8514-BER

UNITED STATES OF AMERICA

v.

KATARO OBRIAN THOMAS  
a/k/a DELMAR HEPBURN,  
MELVIN VINICIO MARCANO-PIMENTEL,  
and ROBERTO ANTONIO GOMEZ-CARRASCO,

Defendants.

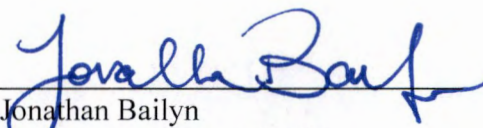
CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? \_\_ Yes X No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? \_\_ Yes X No
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? \_\_ Yes X No

Respectfully submitted,

MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

By:



Jonathan Bailyn  
Jonathan R. Bailyn, AUSA  
Court ID No. A5502602  
500 South Australian Ave, 4th Floor  
West Palm Beach, Florida 33401  
Phone: (561) 209-1050  
jonathan.bailyn@usdoj.gov

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America )

v. )

KATARO OBRIAN THOMAS )

a/k/a DELMAR HEPBURN, )

MELVIN VINICIO MARCANO-PIMENTEL, and )

ROBERTO ANTONIO GOMEZ-CARRASCO, )

Case No.

23-mj-8514-BER

*Defendant(s)*FILED BY TM D.C.

Oct 13, 2023

ANGELA E. NOBLE  
CLERK U.S. DIST. CT.  
S. D. OF FLA. - WPB

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 9, 2023 in the county of Martin in the  
Southern District of Florida, the defendant(s) violated:

*Code Section**Offense Description*

8 U.S.C. § 1326(a) and (b)(2)  
 (MARCANO-PIMENTEL and  
 GOMEZ-CARRASCO)

Illegally Re-Entering the United States After Prior Deportation by an  
 Aggravated Felon

8 U.S.C. § 1324(a)(1)(iv)  
 (THOMAS)

Bringing in and Harboring Certain Aliens

8 U.S.C. § 1327 (THOMAS)

Aiding or Assisting Certain Aliens to Enter

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.*Scott Partin**Complainant's signature*

Scott Partin, Special Agent, HSI

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 10/13/2023City and state: West Palm Beach, Florida*Bruce E. Reinhart**Judge's signature*

Hon. Bruce E. Reinhart, U.S. Magistrate Judge

*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Scott Partin, first being duly sworn, does hereby depose and state as follows:

1. I am a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations (“HSI”) and have been since April 2003. As a Special Agent with HSI, I have conducted investigations into immigration violations, document fraud, and the smuggling of contraband into the United States. I have received specialized training regarding violations of statutes relating to Title 8 of the United States Code.

2. This Affidavit is based upon my personal knowledge, as well as on information provided to me by other law enforcement officers and agencies. Because this Affidavit is submitted for the limited purpose of establishing probable cause, it does not include everything I know about this investigation. Rather, I have included only those facts necessary to establish probable cause to believe that on or about October 9, 2023:

a. Kataro Obrian THOMAS a/k/a Delmar Hepburn committed the offense of attempting to illegally bring certain aliens into the United States, in violation of Title 8, United States Code, United States Code, Sections 1324(I)(A)(iv) and 1327.

b. Melvin Vinicio MARCANO-PIMENTEL committed the offense of attempting to illegally reenter the United States after deportation or removal by an aggravated felon, in violation of Title 8, United States Code, Section 1326(a)(2) and (b)(2).

c. Roberto Antonio GOMEZ-CARRASCO committed the offense of attempting to illegally reenter the United States after deportation or removal by an aggravated felon, in violation of Title 8, United States Code, Section 1326(a)(2) and (b)(2).

**PROBABLE CAUSE**

3. On or about October 9, 2023, at approximately 10:15 PM, the Martin County Sheriff's Office ("MCSO") received information from a concerned citizen regarding a vessel in the St. Lucie River. The complainant described the suspect vessel as a white cabin cruiser with a blue wrap on the hull, which appeared to have migrants on board, and which had no running lights on. MCSO deputies located the suspect vessel approximately a half mile north of the Stuart Causeway. The suspect vessel was traveling north, and its navigation lights were off.

4. MSCO deputies activated their patrol vessel's emergency lights and stopped the suspect vessel. MSCO deputies observed a black man, later identified as THOMAS, operating the suspect vessel, as well as sixteen adults onboard, two of whom were later identified as MARCANO-PIMENTEL and GOMEZ-CARRASCO.

5. MSCO contacted United States Border Patrol, US Customs Air and Marine, and the United States Coast Guard ("USCG"). Everyone onboard the suspect vessel was brought onto a USCG cutter for identification. USCG biometric checks determined that each person was a foreign national. While onboard the USCG cutter, THOMAS said that he has made a lot of money smuggling people and drugs into the United States, and that he was responsible for the suspect vessel's 16 passengers.

6. USCG biometric checks and searches of law enforcement databases revealed that GOMEZ-CARRASCO had been removed from the United States on June 6, 2017, following a conviction for an aggravated felony related to the trafficking of controlled substances, and MARCANO-PIMENTEL had been removed from the United States on April 2, 2023, following a conviction for an aggravated felony related to the trafficking of controlled substances. Neither GOMEZ-CARRASCO nor MARCANO-PIMENTEL had received permission from the U.S.

Attorney General or the Secretary of Homeland Security to apply for readmission to the United States.

7. THOMAS, GOMEZ-CARRASCO, and MARCANO-PIMENTEL were brought into the United States in Palm Beach County. The other people who were onboard the suspect vessel are being repatriated.

### **CONCLUSION**

8. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that on or about October 9, 2023:

a. Kataro Obrian THOMAS a/k/a Delmar Hepburn committed the offense of attempting to illegally bring certain aliens into the United States, in violation of Title 8, United States Code, United States Code, Sections 1324(1)(A)(iv) and 1327.


b. Melvin Vinicio MARCANO-PIMENTEL committed the offense of attempting to illegally reenter the United States after deportation or removal by an aggravated felon, in violation of Title 8, United States Code, Section 1326(a)(2) and (b)(2).

c. Roberto Antonio GOMEZ-CARRASCO committed the offense of attempting to illegally reenter the United States after deportation or removal by an aggravated felon, in violation of Title 8, United States Code, Section 1326(a)(2) and (b)(2).

**FURTHER YOUR AFFIANT SAYETH NAUGHT.**

  
SCOTT PARTIN  
Special Agent  
Department of Homeland Security  
Homeland Security Investigations

Sworn to before me and signed in my presence  
this 13 day of October 2023.

  
THE HONORABLE BRUCE E. REINHART  
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NUMBER:** 23-mj-8514-BER

**BOND RECOMMENDATION**

**DEFENDANT:** Roberto Antonio Gomez-Carrasco

Pre-Trial Detention

(Personal Surety) (Corporate Surety) (Cash) (Pre-Trial Detention)

By: Jonathan Bailyn

AUSA: Jonathan Bailyn

Last Known Address: Dominican Republic

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\_\_\_\_\_

What Facility: Palm Beach County Jail

\_\_\_\_\_

Agent(s): HSI SA Scott Partin

(FBI) (SECRET SERVICE) (DEA) (IRS) (ICE) (**OTHER**)

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